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Commissioner for Patents, P.O. Box 1450

Alexandria, VA 22313 on September 12, 2005

Patent Application

Docket No. BB-123

Serial No. 10/519,826

David Saliwanchik
David R. Saliwanchik, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Diego Walther, Michael Bader
Serial No. : 10/519,826
Conf. No. : 3100
Filed : December 30, 2004
For : Neuronally Expressed Tryptophane Hydroxylase and Its Use

Mail Stop PCT/MISSING REQUIREMENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

The Applicants have received a Notification of Missing Requirements Under 35 U.S.C. 371 from the United States Designated/Elected Office (DO/EO/US), dated July 25, 2005 in the above-referenced patent application. The Notification requests that the applicants submit an executed Declaration and Power of Attorney form. Attached herewith are two executed Declaration and Power of Attorney forms.

The Notice has also requested that the applicants comply with Sequence Disclosure Requirements under 37 CFR §1.821.

Accordingly, attached is a Submission of Sequence Listing on paper and in Computer Readable Format Under 37 CFR §1.821 (disk).

Docket No. BB-123
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Please charge the surcharge of \$130 for the late-filed Declaration (37 CFR 1.63) to Deposit Acct. No. 19-0065. The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. 19-0065. Two copies of this letter are enclosed.

Respectfully submitted,



David R. Saliwanchik
Patent Attorney
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Gainesville, FL 32614-2950

DRS/la

Attachments: Two executed Declaration (37 CFR 1.63) and Power of Attorney forms;
Submission of Sequence Listing under 37 CFR §1.821
Sequence Listing on paper and in computer readable format (disk);
Amendment under 37 CFR 1.825(a) through (c) and
Copy of Notification of Missing Requirements.

09/20/2005 GFREY1 00000087 190065 10519826
01 FC:1617 130.00 DA



UNITED STATES PATENT AND TRADEMARK OFFICE

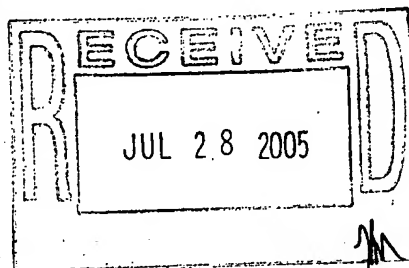
UNITED STATES DEPARTMENT OF COMMERCE
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/519,826	Diego Walther	BB-123

INTERNATIONAL APPLICATION NO.
PCT/EP03/07744

I.A. FILING DATE	PRIORITY DATE
07/16/2003	07/16/2002

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CONFIRMATION NO. 3100
371 FORMALITIES LETTER



OC000000016598046

Date Mailed: 07/25/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/30/2004
- Copy of the International Search Report filed on 12/30/2004
- Copy of IPE Report filed on 12/30/2004
- Preliminary Amendments filed on 12/30/2004
- Information Disclosure Statements filed on 05/25/2005
- Oath or Declaration filed on 12/30/2004
- Biochemical Sequence Listing filed on 12/30/2004
- Request for Immediate Examination filed on 12/30/2004
- U.S. Basic National Fees filed on 12/30/2004
- Priority Documents filed on 12/30/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Late oath or declaration Surcharge.**

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,826	PCT/EP03/07744	BB-123